

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
HELENA DIVISION**

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**VICKIE MILLER,**

**Plaintiff,**

**Vs.**

**NIPPON CARBON COMPANY, LTD.,  
MITSUBISHI LOGISTICS  
CORPORATION, and INTERMODAL  
CARTAGE CO., INC.,**

**Defendants.**

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**NO: 2:06CV00156 JMM  
Jury Trial Demanded**

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**CONSENT ORDER DISMISSING PLAINTIFF'S CLAIMS  
AGAINST DEFENDANT INTERMODAL CARTAGE CO., INC.**

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It appearing to the Court that:

1. Defendant, Intermodal Cartage Co., Inc. ("Intermodal" or "Defendant") has tendered to Plaintiff, Vickie Miller ("Plaintiff") the Declaration of Lynn Parrish (attached as Exhibit A);
2. Plaintiff Vickie Miller, relying upon the representations contained in the Declaration of Lynn Parrish, desires to dismiss her claims against Intermodal on the merits;

IT IS, THEREFORE, ORDERED:

1. That Plaintiff's claims against Intermodal as set forth in the Complaint and arising out of the death of Plaintiff's decedent Larry Miller are hereby dismissed on the merits;
2. That in the event that Plaintiff learns that the allegations set forth in the Declaration of Lynn Parrish are untrue, Plaintiff may petition this Court for permission to revive her claims against Intermodal.

All other matters are reserved

A handwritten signature in dark ink, appearing to read "James M. Moody", is written over a horizontal line.

U.S. DISTRICT COURT JUDGE  
JAMES M. MOODY

June 4, 2007

DATE